

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X ECF Case  
IN RE: KIND LLC "HEALTHY AND ALL  
NATURAL" LITIGATION  
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Case No. 1:15-md-02645-WHP  
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:  
**NOTICE OF DEFENDANTS**  
:  
**KIND LLC AND KIND**  
:  
**MANAGEMENT, INC.'S**  
:  
**MOTION TO DISMISS**  
:  
:  
:  
----- X

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THIS DOCUMENT RELATES TO:  
  
ALL ACTIONS

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Dale J. Giali, dated March 7, 2016, and the exhibits attached thereto, and the accompanying Defendants KIND LLC and KIND Management, Inc.'s Memorandum of Points and Authorities in Support of Their Motion to Dismiss, and any other submission that shall be made in support of this motion, the undersigned counsel, on behalf of Defendant, will move this Court, before the Honorable William Pauley, at the United States Courthouse, 500 Pearl Street, New York, New York, on May 23, 2016 at 11:30 a.m., for an Order granting Defendants' Motion to Dismiss, and for other such relief that the Court deems just and proper.

DATED: March 7, 2016

By: /s/ Dale J. Giali  
Dale J. Giali

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and KIND Management, Inc.*